

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

POWER INTEGRATIONS, INC.,  
Plaintiff,  
v.  
FAIRCHILD SEMICONDUCTOR  
INTERNATIONAL, INC., et al.,  
Defendant.

No. 09-5235 MMC

**ORDER DENYING PLAINTIFF'S  
JANUARY 21, 2014 MOTION TO FILE  
DOCUMENTS UNDER SEAL;  
DIRECTIONS TO PLAINTIFF**

Before the Court is plaintiff's Administrative Motion to File Under Seal, filed January 21, 2014, wherein plaintiff seeks leave to file under seal portions of its Opposition to Defendants' Administrative Motion No. 2 Seeking Evidentiary Hearing on Damages Prior to Trial and the entirety of Exhibit A to the Declaration of Enrique D. Duarte, containing excerpts from the Rebuttal Expert Report of James E. Malackowski filed in support of said motion, both of which, plaintiff states, disclose material defendants designated as confidential. Having read and considered the administrative request, the Court rules as follows.

Under the Local Rules of this District, where a party seeks to file under seal any material designated as confidential by another party, the submitting party must file a motion for a sealing order. See Civil L.R. 79-5(d)-(e). "Within 4 days of the filing of the


1 Administrative Motion to File Under Seal, the Designating Party must file a declaration . . .  
2 establishing that all of the designated information is sealable.” Id. at 79-5(e)(1). “If the  
3 Designating Party does not file a responsive declaration as required by subsection 79-  
4 5(e)(1) and the Administrative Motion to File Under Seal is denied, the Submitting Party  
5 may file the document in the public record no earlier than 4 days, and no later than 10  
6 days, after the motion is denied.” Id. at 79-5(e)(2).

7 Here, the designating party has not filed a responsive declaration within the requisite  
8 time.

9 Accordingly, plaintiff’s motion to file under seal is hereby DENIED, and plaintiff is  
10 hereby DIRECTED to file in the public record, no later than February 14, 2014, an  
11 unredacted version of its Opposition to Defendants’ Administrative Motion No. 2 Seeking  
12 Evidentiary Hearing on Damages Prior to Trial as well as Exhibit A to the Declaration of  
13 Enrique D. Duarte in Support of Power Integrations’ Opposition to Defendants’  
14 Administrative Motion No. 2.

15 **IT IS SO ORDERED.**

16  
17 Dated: February 4, 2014

  
MAXINE M. CHESNEY  
United States District Judge